



ONDCP ANNUAL REPORT 2011

ANNUAL REPORT

TABLE OF CONTENTS >

TITLES	PAGE NO.
Executive Summay.....	PG 03
ONDCP's Structure.....	PG 04
Financial Intelligence and Financial Investigations.....	PG 05 - 08
Supervisory Authority and Financial Compliance.....	PG 09 - 15
Counter Narcotics Operations.....	PG 16 - 22
Legal Department	PG 23
Administration	PG 23 - 24
Way Forward	PG 24
Conclusion.....	PG 24



EXECUTIVE SUMMARY

Detailed in this report are the activities of the ONDCP in 2011.

In 2011 the Financial Intelligence Unit received one hundred and one (101) suspicious activity reports from various financial institutions. Although this number may indicate a 31% decrease in comparison to 2010, it should be noted that the quality of the SAR's has increased; this has led to six (6) SAR's being disseminated for investigations to the Financial Investigations Department.

Since the 2009 amendments to the first schedule of the MLPA's listings of a new group of companies as financial institutions, the FIU focused its attention to that new group. This resulted in over three hundred and sixty (360) employees from financial institutions being trained in the requirements of the AML/CFT laws (MLPA and PTA), and related regulations and guidelines.

In 2011 the Financial Investigations Department has seen a vast improvement in its operational capabilities over that year. The FID seized cash to the tune of EC equivalent of \$ 391,730.97 from individuals during drug investigations and cross border movement of cash violations.

During the period under the review the FID had a 13.5% increase in orders being made to the court. It should be noted that due to this increase in activity the FID has utilized various investigative research tools allotted to the department on how to effectively investigate matters.

In 2011 the ONDCP's counter narcotics operations yielded over 1854.48 pounds of Cannabis and 169.65 kilos of Cocaine worth over \$31 million Eastern Caribbean dollars removed from the streets and maritime waters of Antigua and Barbuda. It is to be noted that one of the operations also yielded cash seizure of \$127, 983.83 which is still subject to freeze orders.

As new trends develop in trafficking of narcotics and more typologies in money laundering develop, the ONDCP stands ready to eliminate, eradicate and prosecute any threats to national, regional and international security.

The ONDCP is built on three pillars: Financial Intelligence and Financial Investigations; Financial Compliance under the Supervisory Authority; and the Counter Narcotics Operations. These pillars are firmly supported by the Administration team at the top in pursuit of a way forward, while firmly grounded in the law from its Legal Department.

It is envisaged that in 2012 the ONDCP will continue to be one of Antigua and Barbuda's lead law enforcement organizations.

ONDCP

AMINISTRATION

**FINANCIAL
INTELLIGENCE
&
FINANCIAL
INVESTIGATION**

**Supervisory
Authority**

**AML/ CFT
COMPLIANCE**

**COUNTER
NARCOTICS
OPERATIONS**

LEGAL DEPARTMENT

INTRODUCTION

The ONDCP's motto "Taking the Profit Out of Crime" not only involves the eradication of illegal narcotics which is important, but denying the proceeds of these illicit activities is foundational to the dismantling of these drug trafficking organizations. One of the best ways to hurt traffickers is through the confiscation of their personal assets obtained through illicit activity.

It is now policy that for every drug investigation there will be a parallel financial investigation to ascertain whether there are any proceeds or assets to be seized, confiscated or forfeited.

FINANCIAL INTELLIGENCE

In strengthening the AML/CFT awareness of financial institutions last year, the FIU's training programme adopted a more collaborated approach in that there were sessions in conjunction with the Antigua and Barbuda (Financial) Compliance Association, Antigua and Barbuda Credit Union League, Compliance Solutions Consultants, and KAW Management Services Ltd. In addition, AML/CFT presentation/training was also conducted with Antigua and Barbuda's Chartered Accountants' Association.

ONDCP training sessions concentrated on providing information to financial institutions about their AML/CFT obligations in five key areas.

- Customer due diligence and ongoing monitoring of customer transactions
- Record keeping
- Detection of suspicious transactions and activity
- Internal and external reporting
- Effective completion of suspicious activity reports and terrorist property reports

This year 55 financial institutions comprising of 365 persons received AML/CFT training. This represents the most persons ever trained by us in any single year. This also compares to 267 persons in the previous year.



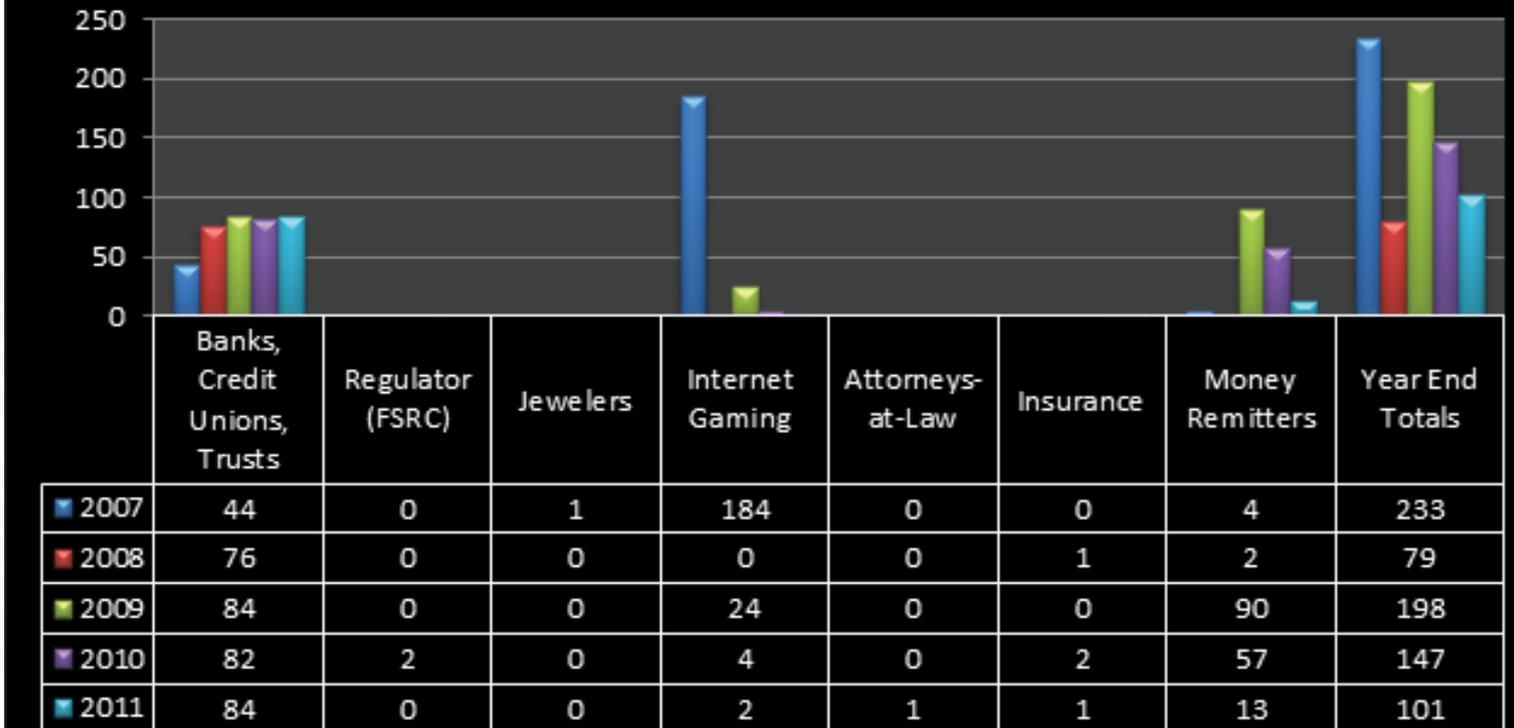
AML/CFT Training to Financial Institutions

	# of Institutions in sector	2008		2009		2010		2011	
		# Institutions Trained	# of Persons						
Commercial Banks	8	8	N/A	3	N/A	3	129	8	104
Development Banks	2	0	N/A	0	N/A	2	4	1	2
Mortgage Companies	1	0	N/A	0	N/A	1	2	0	0
Credit Institutions	1	0	N/A	0	N/A	1	5	0	0
Offshore Banks	15	14	N/A	0	N/A	0	0	15	62
Money Transmission Services	14	6	N/A	9	N/A	5	8	2	3
Money Lending & Pawning	3	0	N/A	0	N/A	1	3	3	4
Credit Unions	7	5	N/A	5	N/A	0	0	7	114
Trust Business (Local)	2	2	N/A	1	N/A	0	0	0	0
Trust Business (Offshore)	2	2	N/A	0	N/A	0	0	0	0
Internet Gambling	6	0	N/A	3	N/A	0	0	0	0
Sports Betting	4	0	N/A	4	N/A	0	0	0	0
Real Estate Companies (Agents)	26	6	N/A	1	N/A	16	35	1	2
Domestic Insurance	18	17	N/A	0	N/A	16	34	15	31
Dealers in Precious Metal, Art or Jewelry	21	0	N/A	0	N/A	20	28	0	0
Travel Agents	11	0	N/A	0	N/A	9	13	0	0
Car Dealerships	6	0	N/A	0	N/A	6	6	0	0
Financial Services Regulatory Comm.	1	0	N/A	0	N/A	0	0	1	12
Institute of Chartered Accountants – Eastern Caribbean, Antigua Branch.								1	30
Banco Transatlantico Ltd (Dominica)								1	1
TOTAL	148	60	N/A	26	N/A	80	267	55	365

► In keeping with Section 34 (3) of the Prevention of Terrorism Act 2005, which requires a financial institution to state whether it is in possession or control of terrorist property, in 2011 there were 181 submissions in comparison with 135 in the previous year.

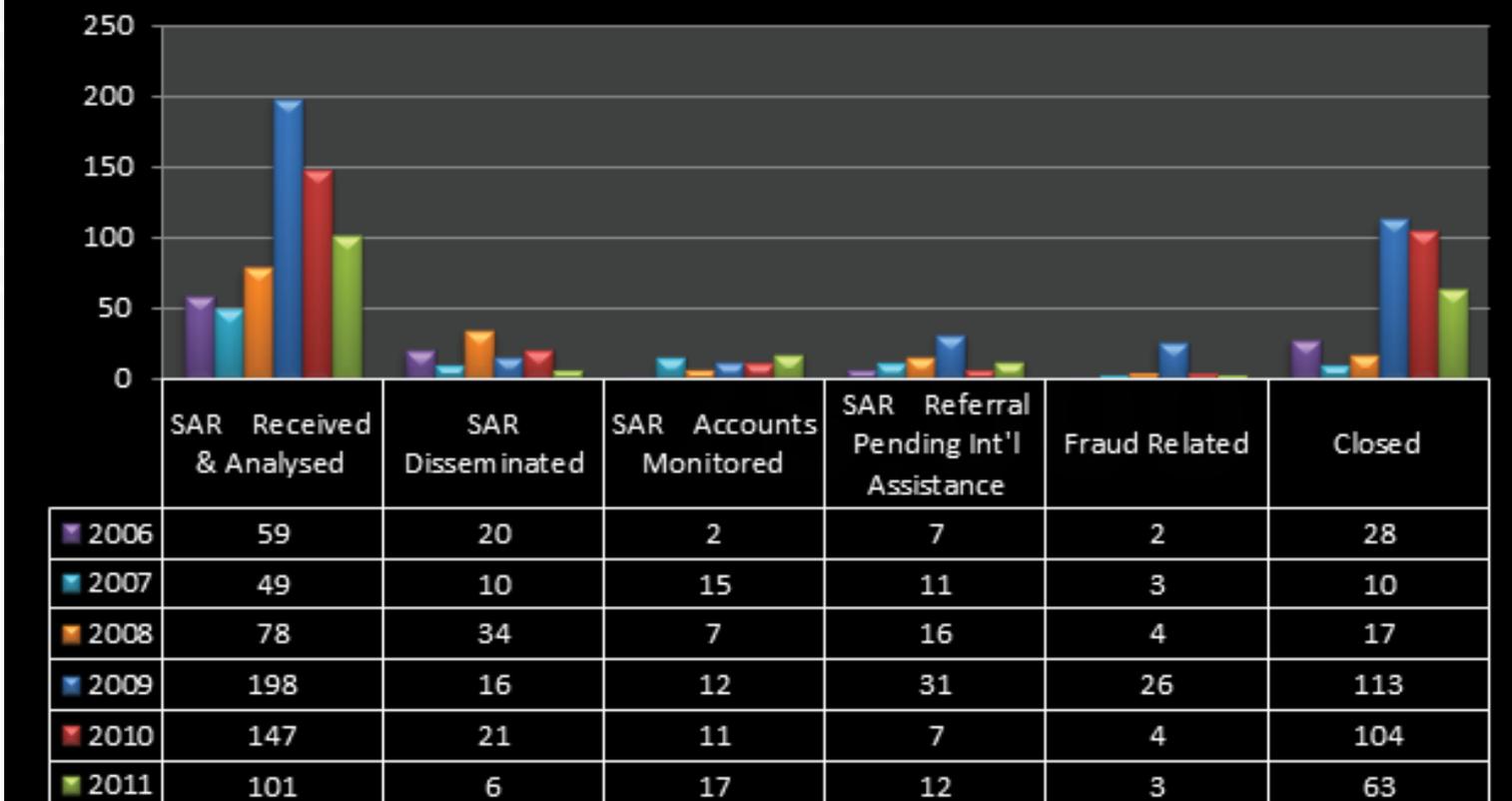
► In 2011, 101 Suspicious Activity Reports were received by the FIU from the various financial institutions. Please see the chart below for further details.

Suspicious Activity Reports by Sector



Of the 101 SAR's Received by the Financial Intelligence Unit 6 were disseminated for financial investigations. It should be noted that although there is a significant decrease of SAR's being disseminated for investigations there has been an increase of over 30% of other actions taken such as monitoring accounts or information requested from international partners.

SAR and Action Taken





FINANCIAL INVESTIGATIONS



The ONDCP and particularly the Financial Investigations Department (FID) is responsible for enforcing the provisions of the Money Laundering (Prevention) Act 1996 and the investigation of reports relating to money laundering, fraud and the financing terrorism. The Financial Investigations Department has seen a vast improvement in its operational capabilities over the years. Last year, the FID seized cash to the tune of EC equivalent of \$ 391,730.97 with a breakdown as follows,

Denominations	EURO	US	EC	Pounds	CAN	BDS	Total in EC
	\$ 19,450.00	\$ 109,450.00	\$ 29,080.77	£ 80.00	\$ 20.00	\$ 5.00	\$ 391,730.97

The 2011 Case File statistics were as follows:

Particulars	Number of Cases	Drug Related	Money Laundering	Cross Border	Cash Seizure	Detention Orders	Production Orders	Freeze Orders	Referral
In Court	16	10	2	4	11	11	20	10	1
Under Investigations	10	-	10	-	-	-	4	-	2

A comparison of the last three years illustrates an increase in cash seizures and detention orders. Freeze orders on personal assets such as houses, land, and vehicles also increased. The growth from year on year demonstrates that the officers at the ONDCP are becoming more efficient, experienced and have a clearer understanding of crime fighting techniques.

Particulars	2009	2010	2011	
Cash Seizure	0	6	11	To the tune of EC \$ 391,730.97
Detention Orders	0	6	11	
Production Orders	16	26	20	
Freeze Orders	3	7	10	House & Land x 5, Land x 3, Vehicles x 5,
TOTAL	19	45	52	



SUPERVISORY AUTHORITY & AML/CFT COMPLIANCE



The newly established Financial Compliance Unit is charged with the responsibility to conduct onsite examinations of financial institutions to evaluate the effectiveness of their AML/CFT programs, and to monitor financial institutions and determine their level of compliance through the receipts of quarterly Terrorists Property Reports, and Annual AML/CFT reports. The effective protective shielding of the financial system against transactions involving the proceeds of crime, requires a close partnership between the Authority and the Financial Institutions to protect the system by implementing and maintaining comprehensive AML/CFT policies and procedures that will deter and detect money laundering and terrorism financing activities.

It is noted that the Banking and the Financial Business and the Internet Gambling sectors have remained consistent in their compliance of the AML/CFT reporting requirements. However, we have seen an improvement in the Credit Unions and the International Offshore Banking Business sectors.

Annual AML/CFT Review/Audit Report

Regulation 15 of the Money Laundering (Prevention) Regulations requires all financial institutions (as listed in the first schedule of the Money Laundering (Prevention) Act) to conduct an annual assessment of their AML/CFT policies and procedures and to submit Terrorist Property reports on a quarterly basis. Institutions catalogued in Schedule 2 of the Money Laundering (Prevention) Regulations, have to submit an additional annual Audit Review Report. These institutions include:

1. Banking and Financial Business
2. International Offshore Banking Business
3. Insurance Business
4. Internet gambling
5. Sports betting
6. Casinos
7. Money Services Business.

The FCU's responsibilities include:

- Conducting on-site and offsite examinations to evaluate an institution's money laundering prevention program and to offer remedial feedback and assistance.
- Careful monitoring to ensure that all institutions submit the reports in a timely manner
- Providing assistance in AML/CFT training workshops

With respect to onsite visits, to all members of the Financial Compliance Unit are expected to adhere to strict confidentiality rules and shall not divulge material, proprietary information that may be gleaned through examination unless there is the discovery of criminality.

Although the genesis of the Financial Compliance Unit was in the fourth quarter of 2011, statistics were collected throughout the year by the Financial Intelligence Unit.

In 2011, the Supervisory Authority monitored sixteen (16) sectors versus ten (10) in the previous year for compliance with the submission of the AML/CFT Systems Implementation Report. The additional sectors that came under review in the past year are credit institutions, mortgage companies, development banks, money lending & pawn companies, trusts and casinos.

Within each sector, the compliance rates are as follows:

AML/CFT Systems Implementation Report

Sector	2011			2010		
	No. in sector	No. Received	%	No. in sector	No. Received	%
Commercial Banks	8	8	100%	8	8	100%
Development Banks	2	2	100%			n/a
Mortgage Companies	1	0	0%			n/a
Credit Institutions	1	0	0%			n/a
International Offshore Banking	14	13	93%	15	12	80%
Money Transmission Services	4	1	25%	5	4	80%
Money Lending and Pawning	2	2	100%			n/a
Real Property Business	26	7	27%	26	4	15%
Credit Unions	7	6	86%	7	5	71%
Trust Business	2	2	100%			n/a
Insurance Business	22	14	64%	18	17	94%
Internet Gambling/Sports Betting	10	7	70%	10	7	70%
Travel Agents	11	0	0%	11	7	64%
Casinos			n/a			n/a
Jewellers	17	5	29%	19	19	100%
Car Dealerships	6	0	0%	6	6	100%
Total	133	67	50%	125	89	71%
Adjusted Total	125	67	54%			

Overall compliance in 2011 fell to 54% on an adjusted basis versus 71% in 2010.

- For the second consecutive year the Commercial Banking sector has achieved full compliance.
- International Offshore Banking saw an improvement from 80% to 93 % compliance with only one of fourteen banks failing to comply with the reporting requirement.
- The Money Transmission services sector saw its compliance rate fall sharply from 80% to 25%.
- Real Property business continues to demonstrate a low level of compliance with rates still much below 50% (27% in 2011 vs. 15% in 2010).
- Credit Unions improved to 86% which translates to only one entity in the sector failing to comply.
- The Insurance sector fell from 94% compliance to 64%. The 30% decline is attributed to two factors: (1) three additional companies joined the list under review and (2) there were 3 less submissions than in the previous year.
- Internet Gaming/Sports Betting maintained its 70% compliance rate for the second consecutive year with two companies failing to comply in consecutive years.

Special cases:

- Car Dealerships had full compliance in 2010 and equally full NON-compliance in 2011.
- The Jewellers sector also experienced 100% compliance in 2010 and only a 29% compliance rate in 2011.
- Travel Agents saw a decrease in compliance from 64% to 0%.

Investigations into this peculiarity revealed that in 2010 the companies within these three sectors received their AML/CFT training. Most proceeded to complete their reports and submit them at the end of the training sessions.

Commendably, three of the sectors that the Supervisory Authority began to monitor in 2011, namely Development Banks, Money Lending & Pawning and Trusts all achieved 100% compliance rates in the first year.



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Monitoring Action Plan 2012

- Attempt to gain an overall compliance rate of 85%-90% in 2012.
- Partner with the Financial Intelligence Unit to conduct training workshops for the casino sector and then commence the monitoring and evaluation process.
- Dialogue with the mortgage company and the credit institution in order to rectify their non-compliance.
- Discuss and explain the importance of compliance issues with the two Internet Gaming/ Sports betting companies that have failed to comply in the last two fiscal years while allowing them to understand the penalties for non-compliance.
- Discuss and, if necessary, prepare to convene a meeting with entities within the Car Dealership, Real Property, Jewellers, and Travel Agency to determine the reasons for non-compliance in 2011 and impress upon them the importance of AML/CFT compliance.

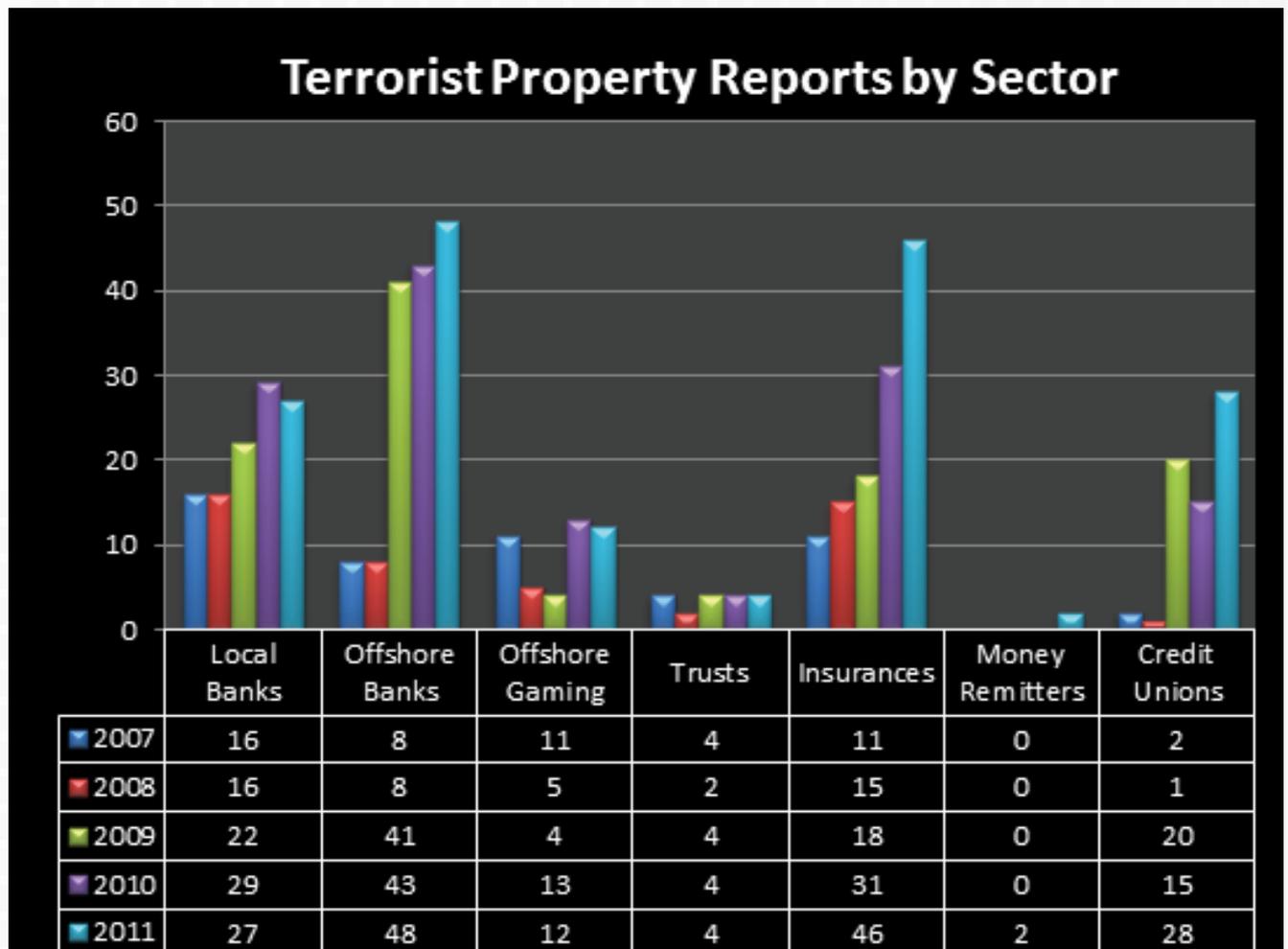
Those entities below are listed in Schedule 2 of the Money Laundering (Prevention) Regulations and are required to submit an additional annual Audit Review Report.

Internal/External Audit Report 2011			
Sector	No. in sector	No. received	%
Commercial Banks	8	2	25%
Development Banks	2	0	0%
International Offshore Banking	14	9	64%
Money Service Business	4	1	25%
Insurance Business	22	2	9%
Internet Gambling/Sports Betting	10	3	30%
Casinos	7	0	0%

The compliance rates for those entities required to submit the annual audit review reports are below 50% in all sectors save one. This is grossly unsatisfactory and emphasis will be placed on the monitoring process in 2012 to ensure that these specific reports are prepared and submitted on a timely basis. This action plan MAY include the imposition of penalties for non-compliance.

Terrorist Property Reports

Terrorist Property Reports submissions have shown an overall increase over the past five years. The greatest increases have been in the Insurance and Credit Union sectors. The goal in 2012 is to ensure timely submissions as these reports are required on a more frequent (quarterly) basis. Total submissions for 2011 reporting period were 167 compared to 135 in 2010.



COUNTER NARCOTICS OPERATIONS



Cannabis remains by far the most widely produced and consumed illicit substance globally while the second largest product is related to cocaine.

According to the UNODC 2011 report, in recent times, the global cocaine market was worth near US\$85 billion.

Despite significant declines in recent years, the largest cocaine market continues to be that of the United States, with an estimated consumption of 157 metric tons of cocaine, equivalent to 36% of global consumption. The second largest cocaine market is that of Europe, notably West and Central Europe, where consumption is estimated at 123 metric tons. Over the last decade, the volume of cocaine consumed in Europe has doubled.

The reality is, Antigua and Barbuda, like the rest of the Caribbean, is geographically located between the cocaine producing countries in the south and the large market consumer countries in the north. Consequently, our region continues to serve as a conduit for the transshipment of illicit narcotics as long as the appetite for the product is sustained.

During the past year the ONDCP denied access to and or removed from the streets or territorial waters of Antigua and Barbuda over 1854lbs of cannabis and 169 kilos of cocaine (with an accumulated street value of approximately EC \$31.4 million dollars).

2011 Operations

06th January 2011

ONDCP officers were deployed to the eastern end of the Antigua Recreation grounds, where a successful operation was conducted. This resulted in the seizure of 1.014lbs of cannabis with an estimated street value of \$3,853.20EC. Three (3) persons were arrested, two (2) Antiguan and one (1) Jamaican. A subsequent search was later conducted on the dwelling home of one of the arrested person and resulted in the seizure of 1 live, 2 blank 5.56mm rounds. The matter is still before the courts.

PHOTO OF 1.014lbs of CANNABIS



15th January 2011

ONDCP conducted an operation in the Southern central side of the island, where a successful drug interdiction was carried out on a green Nissan K24 pickup. However, the driver of the pickup set the drugs alight with a joint he was smoking before exiting the vehicle. The flames were extinguished and the cannabis which was not burnt beyond recognition was recovered and amounted to almost 40 lbs. Another search was conducted on a dwelling home, where officers uncovered a freshly dug area and unearthed three sealed crocus bags along with five (5) individually wrapped packages containing the illegal drug cannabis weighing a total of 176.62 lbs. The combined drugs weighed a total of 210.62lbs with an estimated street value of EC\$842,480.00. A total of two (2) persons were arrested.

PHOTOS OF DRUGS AND BURNT VEHICLE



05th February 2011

A joint operation was conducted between the ONDCP and the ABDF Coast Guard after receiving information that a BVI registered vessel was in Antiguan waters to collect a portion of drugs destined for Tortola. The vessel was intercepted and a search of the vessel resulted in the recovery five (5) crocus bags containing cocaine, weighing a total of 169.65kilos. Two (2) BVI nationals were arrested. The drugs had an estimated value of \$23,976,948.42 ECD. The case is still pending.

PHOTOS OF DRUGS AND VESSEL



14th October 2011

The ONDCP and the ABDF Coast Guard intercepted a major drug trafficker along with his associates, after a property belonging to one of the accused was searched and officer's discovered forty-three (43) crocus bags containing cannabis. The drugs weighed 1642.85lbs with an estimated street value of \$6,571,400.00ECD. Five (5) men were arrested and charged with the following offences: Possession of Cannabis, Drug Trafficking, Importation, Possession with Intent to Transfer and Being concerned in the supply of Cannabis. One of the men was additionally charged with Possession of a small amount of Cannabis. The matter is still pending before the court.

PHOTOS OF DRUGS AND VESSEL



6th December 2011

ONDCP intercepted a drug trafficking ring involving two Venezuelan nationals and one from the Dominican Republic. During a search conducted on the apartment occupied by these two individuals, officers discovered a quantity of cash in 2 toilet bowl tanks as well as coils of cash found a suitcase handle. The cash seized amount USD\$20,210.00 and Euro €19,430.00. Another associate was arrested and found with USD 1,100.00 and ECD 50.00. The total amount of cash seized is ECD \$127,938.83. The trio received the following charges: Conspiracy to Commit Money Laundering, Money Laundering, Money Laundering (Possession) and facilitation of Money Laundering. The case is still pending.

PHOTOS OF CASH



Commitment

The officers and members of the ONDCP who are committed to excellence are a group of dedicated men and women whose spirit is ever focused on the mission of successful interdiction efforts, despite the ongoing human and capital resource challenges faced by the organization.

For the period of 2007 thru 2011, ONDCP has had a total of thirty-two (32) cases, resulting in one hundred and three (103) arrests. During this period over 12,000 lbs of cannabis and 1,167 kilos of cocaine have been seized, with an estimated street value of over EC \$193,000,000 or approx. US \$71 million. To date, most of the Thirty eight (38) persons convicted have served prison sentences. It is also noted that a few have paid fines which amounted to Three hundred nine thousand seven hundred and fifty dollars (ECD \$309,750.00. Three (3) persons are presently in prison, ten (10) persons on remand, and twenty-five (25) persons are presently on bail. There are fourteen (14) drug related cases presently before the court. Some cases remain in the court system for over three years and it is thought that the dispensation of justice in relation to drug trafficking offences need to be handled more expeditiously. Please see the tables below for more information

Drug Seizures for the period 1st January 2011 to 31st December 2011

DATE	SEIZURE	ARRESTS	SENTENCES
January 2011	1.014Lbs Cannabis <u>Estimated Street Value</u> \$3,853.20 1 live, 2 blank 5.56mm rounds	3	Case is Pending.
January 2011	210.62Lbs Cannabis <u>Estimated Street Value</u> \$842,480.00	2	Case is Pending.
February 2011	169.65kilos Cocaine <u>Estimated Street Value</u> \$23,976,948.42	2	Case is Pending
October 2011	1,642.85lbs of cannabis <u>Estimated Street value</u> \$6,571,400.00.	5	Case Pending
December 2011	\$127,983.83 EC Cash	3	Case Pending
Total Amount of illegal drugs seized for 2011 is	169.65 kilos Cocaine 1,854.48lbs Cannabis Cash seizure \$127,983.83EC With an estimated street value of \$31,394,681.62	15	

Below is a list of all the major operations conducted during the period 2007 through 2011.

Years	No Of Ops	No of Persons Arrested	Drugs Seized	Value of Drugs seized
2007	6	28	6,824 lbs Cannabis	\$ 10,200,000.00 Cannabis
			5.62 kilos Cocaine	\$ 1,137,891.00 Cocaine
2008	11	24	1,438 lbs Cannabis	\$ 2,159,800.00
			16 kilos Cocaine	\$ 570,679.00
2009	5	21	1,859.52 lbs Cannabis	\$ 8,918,680.00
			3.7 kilos Cocaine	\$ 130,682.89
2010	6	15	24.94 lbs Cannabis	\$ 119,620.80
			988.05 kilos Cocaine	\$139,264,028.29
2011	5	15	1854.48lbs Cannabis	\$ 7,417,733.20
			169.65kilos Cocaine	\$ 23,976,948.42
			\$127,983.83 EC cash seizure	\$ 127,983.83
Grand Total	33	103	12,000.94lbs Cannabis	\$ 28,815,834.00 EC
			1,167.02 kilos Cocaine	\$ 165,080,229.60 EC
			\$127,983.83 EC cash seizure	\$ 127,983.83 EC cash seizure

The Legal Department during the year was able to advise other law enforcement agencies on legal forms strategies relating to application for confiscation of the proceeds of crime and instrumentalities of offences.

The Department is staffed by a legal counsel and a secretary but is handicapped by the share volume of work that is being produced by all the departments. The organizational structure provides for another legal counsel and every effort is being made to secure one.

LEGAL DEPARTMENT



Increased efficiency and effectiveness of the FID in its anti-money laundering operations against drug traffickers have in 2011 noticeably increased the level of work and productivity of the Legal Department. The Legal department has been called upon like never before to respond to new situations and advise on money laundering prosecutions that in the past were rare but are now becoming more frequent as we hone our ability to identify money laundering in its more subtle cloaks and disguises. The result of this has been a significant increase in the preparation of production orders (20), freeze orders (3), advising on cash seizure orders and the successful application for forfeiture of the asset of a drug trafficker and applications for forfeiture of seized cash.

In addition, the Legal Department continued preparation of responses by the ONDCP to international Mutual Legal Assistance Requests, and 2011 was important in the realization of assets in facilitation of foreign confiscation efforts.

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ADMINISTRATION

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THE WAY FORWARD

As the organisation looks forward on the way ahead, there exist plans to construct an extension on the current office facility to provide for more room and efficiency for two departments. The regulatory component under the Supervisory Authority is expected to strengthen as the FCU gains more experience. Proposals for new and amended legislation such as the MLPA, the ONDCP Act, the Evidence Act, the Pensions and Gratuity regulations, Pay and Allowance regulations and Disciplinary Regulations, will all be put forward in 2012. ONDCP is attempting to procure new vehicles which are expected to enhance our crime fighting activities and improve the overall efficiency in all areas of the organisation.

Future efforts will include the acquisition of dogs to assist with identifying cash. Plans are also advanced for the acquisition of a Video Conference Facility which will further assist with investigations overseas and where applicable allow for a reduction of the cost of travel to attend meetings and or conferences. This facility will also be available to the government and other law enforcement agencies.

CONCLUSION

In conclusion the continued success of the ONDCP can be attributed to the dedicated men and women of the organisation, who as a team of professional law enforcement personnel have diligently aimed to fulfil their mandated duties.

It is the organisation's intentions to make Antigua and Barbuda a very unattractive destination for drug trafficking, money laundering or terrorist financing.

Antigua and Barbuda as a nation and as an organization must continue to fight against the illicit drug trade and to hold accountable, those who engage in money laundering and the financing of terrorism.

